

# **CODIFIED ORDINANCES OF TRAVERSE CITY**

## **PART EIGHT**

### **BUSINESS REGULATION AND TAXATION CODE**

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- Chap. 866. Taxicabs.
- Chap. 867. Pedicab Public Transportation
- Chap. 868. Tourist Homes.
- Chap. 876. Yard Sales.

#### **TITLE FOUR - Taxation**

- Chap. 880. Tax Exemptions.
- Chap. 881. Low Income Housing Tax Exemption.

# **CHAPTER 802**

## **Licenses and Permits Generally**

802.01	Licenses.	802.99 Penalty.
802.02	Permits.	

### **CROSS REFERENCES**

Outdoor advertising licensing and permits - see M.C.L.A. Sec. 117.4i  
Coordinated collection of State license fees - see M.C.L.A. Sec. 205.1  
Liability insurance for municipalities - see M.C.L.A. Sec. 691.1409  
Bicycle licenses - see TRAF. 420.01 et seq.  
Dog licenses - see GEN. OFF. 610.05(b)  
Building permits - see B. & H. 1440.04, 1440.05  
Licensing of contractors - see B. & H. 1446.01

### **802.01 LICENSES.**

- a) Required. No person shall engage in the operation, conduct or carrying on of any trade, profession, business or privilege for which a license is required by this Business Regulation and Taxation Code without first obtaining such license from the City in the manner provided in this section. (1976 Code Sec. 23.01)
- b) Application. Unless otherwise provided, an application for a license shall be made to the City Clerk, upon forms provided by him or her, and the applicant shall state under oath or affirmation such facts as may be required for or be applicable to the granting of such license. (1976 Code Sec. 23.02)
- c) Payment of Fees. The fees required for the issuance of any license shall be paid at the office of the City Clerk before the granting of the license. (1976 Code Sec. 23.03)
- d) Bond and Insurance. All required bonds shall be subject to the approval of the City Attorney. Where policies of insurance are required, such policies shall be approved as to substance and form by the City Attorney, and satisfactory evidence of coverage shall be filed with the City Clerk before the license is issued. (1976 Code Sec. 23.04)
- e) Certification. In all cases where the certification of any City or State officer is required prior to the issuance of any license by the City Clerk, such certification must be presented to the City Clerk before such license is issued. (1976 Code Sec. 23.05)
- f) Denial of Issuance or Approval to Debtors of City. No license shall be issued, nor shall approval be granted, where Municipal approval is required for any State or Federal license, to any person who is indebted to the City upon any claim, tax or account which is more than sixty days delinquent. (1976 Code Sec. 23.06)
- g) Term. Unless otherwise provided, the license year shall begin on July 1 of each year and shall terminate at 12:00 midnight on June 30 of the following year. Where this chapter permits the issuance of a license for a period of less than one year, the effective date of such license shall commence with the date of issuance. (1976 Code Sec. 23.07)
- h) Exhibition. Every licensee shall carry his or her license upon his or her person at all times when engaged in the operation, conduct or carrying on of any trade, profession, business or privilege for which the license was granted. However, where such trade,

profession, business or privilege is operated, conducted or carried on at a fixed place or establishment, the license shall be exhibited at all times in some conspicuous place in the place of business. The licensee shall exhibit the license when applying for a renewal and upon the demand of any police officer or person representing the issuing authority. (1976 Code Sec. 23.08)

- i) Transfer. Unless otherwise provided, no license shall be transferable unless specifically authorized by action of the City Commission. (1976 Code Sec. 23.09)
- j) Suspension and Revocation.
  - a. Authority. Any license issued by the City may be suspended by the City Manager for cause or if conditions precedent to the granting of the license are not complied with.
  - b. Hearings. The licensee shall have the right to a hearing before the City Commission on any such action of the City Manager, provided a written request therefor is filed with the City Clerk within ten days after receipt of the notice of suspension. The Commission may confirm such suspension or revoke or reinstate any such license. The action taken by the Commission shall be final.
  - c. Cause defined. "Cause," as used in this subsection, means and includes the doing or omitting of any act, or permitting any condition to exist, in connection with any trade, profession, business or privilege for which a license is granted or any premises or facilities used in connection therewith, which act, omission or condition is:
    - i. Contrary to the health, morals, safety or welfare of the public;
    - ii. Unlawful, irregular or fraudulent in nature;
    - iii. Unauthorized or beyond the scope of the license granted;
    - iv. Forbidden by these Codified Ordinances or any duly established rule or regulation of the City applicable to the trade, profession, business or privilege for which the license has been granted; or
    - v. The result of failure to continuously comply with all conditions required as precedent to the approval of the license. (1976 Code Sec. 23.10)

## **802.02 PERMITS.**

- a) Required; Issuance.
  - 1. No person shall perform any act for which a permit is required by this Business Regulation and Taxation Code without first obtaining a written permit therefor in the manner provided in this section.
  - 2. The issuance of a permit shall be contingent upon fulfillment of the requirements specified in this Business Regulation and Taxation Code or by subsequent regulations established by the City Manager and approved by the City Commission. (1976 Code Sec. 24.01)
- b) Application. Unless otherwise provided, an application for a permit shall be made to the City Clerk, upon forms prescribed by him or her, and the applicant shall answer upon oath, if requested, all questions put to him or her concerning the application. (1976 Code Sec. 24.02)
- c) Payment of Fees. Applications shall be accompanied by the fees and deposits required, which fees and deposits will be returned to the applicant if a permit is not issued. (1976 Code Sec. 24.03)

- d) Bond and Insurance. When an applicant is required to furnish a bond, the form of the bond shall be approved by the City Attorney. The obligation shall be such that the City is held free from all liability from accidents or injuries to persons or property arising out of the work or action for which the permit is issued. In lieu of a bond, the applicant may furnish one or more policies of insurance giving the same protection as called for in the bond. Any such policy of insurance shall be approved as to form and substance by the City Attorney. (1976 Code Sec. 24.04)
- e) Liability. The terms of the application shall be such that the applicant agrees to hold the City free and harmless from all liability which may be imposed on it, to reimburse the City for any legal liability that may be adjudged against it and to reimburse the City for all expenses of litigation in connection with the defense of claims, as such liability and claims may arise because of the issuance of the permit or because of negligence in the performance of the work for which the permit was issued. (1976 Code Sec. 24.05)
- f) Rejection of Application. The City Clerk shall not be required to issue any permit if, in his or her judgment, the public interest and the interests of the City are not fully protected. (1976 Code Sec. 24.06)
- g) Expiration. Each permit shall show the date of expiration. (1976 Code Sec. 24.07)
- h) Exhibition. Every person receiving a permit shall keep the permit at the place where the operation is being performed at all times when the operation is in progress and until it is completed. Such permit shall be exhibited upon the demand of any City official. (1976 Code Sec. 24.08)
- i) Transfer. Unless otherwise provided, no permit shall be transferable unless specifically authorized by action of the City Commission. (1976 Code Sec. 24.09)
- j) Suspension and Revocation.
  - 1. Authority. Any permit issued by the City may be suspended by the City Manager for cause or if conditions precedent to the granting of the permit are not complied with, or may be suspended or revoked for cause by the City Manager or the issuing authority.
  - 2. Hearings. The holder of the permit shall have the right to a hearing before the City Commission on any such action of the City Manager or issuing authority, provided a written request therefor is filed with the City Clerk within ten days after receipt of the notice of suspension or revocation. The Commission may confirm such suspension or revocation or revoke or reinstate any such permit. The action taken by the Commission is final.
  - 3. Cause defined. "Cause," as used in this subsection, has the same meaning as set forth in Section 802.01(j)(3). (1976 Code Sec. 24.10)

## **802.99 PENALTY**

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)